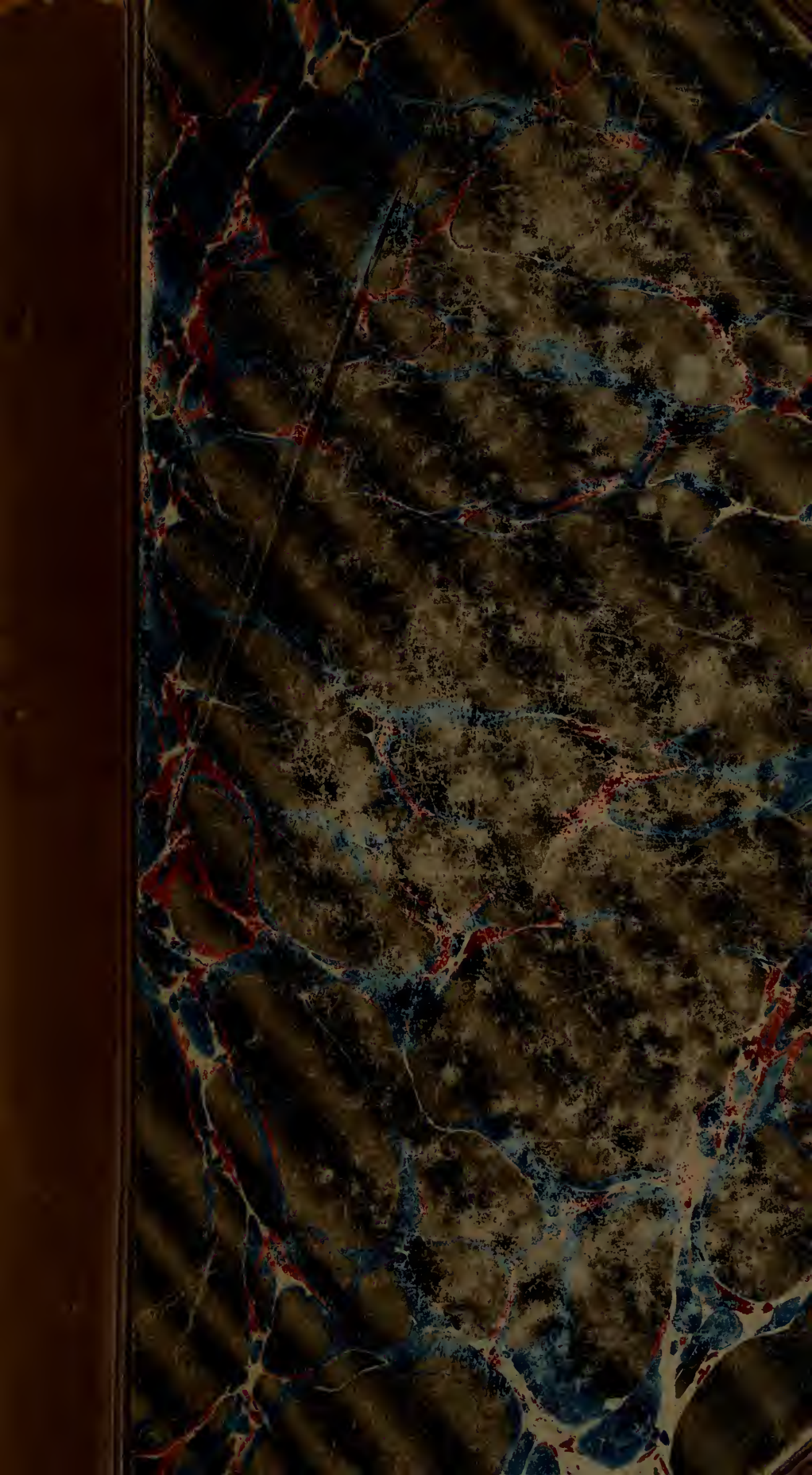






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PARLIAMENTARY OATHS.

S P E E C H

DELIVERED BY THE

RIGHT HON. W. E. GLADSTONE, M.P.,

IN THE HOUSE OF COMMONS,

ON THE

Second Reading of the Parliamentary Oaths Act Amendment Bill,

ON THURSDAY, THE 26TH APRIL, 1883.

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PARLIAMENTARY OATHS.

MR. GLADSTONE, who on rising was received with loud cheers, said : Strictly speaking, it is no part of my duty to do more than to follow, as well as I can, the arguments which have been used against this Bill. It appears to me, however, that while the real issue to be dealt with is not a very wide one, the debate has been extraordinarily prolonged by the introduction into it of extraneous matter. The debate has undoubtedly been an animated one. On the other side of the House all that sarcasm and invective can do, especially by assaults upon the Government, involving lengthened details of its iniquitous proceedings, has been called into requisition, I will not say for the purpose, but at all events with the effect of very greatly widening the field of contention, without, I think, having the compensating effect of clearing the judgment of hon. members. The hon. member who has just sat down has made a most temperate speech, and consequently it was much less animated than many other of the speeches that have fallen from hon. members opposite on this question. I may say, however, that I do not defend my noble and learned friend the Lord Chancellor. I leave him subject to the whole weight of the censure which has been pronounced by the hon. member, although, it being an argumentative censure, it might, perhaps, have not been difficult to defend the noble and learned lord. The hon. member has said but two things that really bear upon the question at issue, or which could possibly be held to be in the nature of an argument against the Bill. One is that the petitions shew that the voice of the nation is against the Bill, and the other is that by the law at this moment an atheist cannot sit in this House.

SIR H. D. WOLFF explained that he had asserted that by the present law an avowed atheist could not sit in that House.

MR. GLADSTONE : Of course I do not speak of persons whose opinions are concealed. On that point, then, my contention is exactly the reverse of the hon. member's. I will not say what is the intention of the law, because with that I have nothing to do ; but I say that there is no legislative power whatever that can prevent atheists duly elected from sitting in this House. And I think, moreover, that the hon. member himself will see that it was mainly through an accident that the disclosure of his religious opinions effected Mr. Bradlaugh's exclusion from this House. What I am prepared to maintain is this—that even where a man's atheism is notorious, and where it has been published in the newspapers, there is no power, when he has been duly elected, that can exclude him if he chooses—whether well advised or ill advised is not the question—to take the oath. Many matters have been introduced into this debate, some of which it will be my duty to notice. In the first place, it has been said that this Bill ought to have been mentioned in the Queen's Speech, and the Government have been complained of for not having given it a place in that Speech. In my view, however, this was a Bill which ought not to have been mentioned in the

Queen's Speech. It is the duty of the Government, before they advise Her Majesty as to her Speech, to make choice, according to the legislative requirements of the country, of certain measures which they think it is within the power of the House of Commons and the most for the interest of the country to deal with; and they should make this choice upon grounds of broad and general interest. This Bill, however, is one which comes within quite a different category. The noble lord the Secretary for War suggested, with perfect truth, I think, that this was not a question to which, upon grounds of legislative urgency, it would have been our duty to give precedence over the multitude of those proposed to be dealt with by the measures indicated in the Queen's Speech. This measure is of a totally different character from those. With regard to it, it was our duty to consider what was the position of the House of Commons, just as last year it became our duty to consider the position of the House with regard to the rules of procedure. We thought that it did appertain both to the dignity of the House of Commons and to the interests of the country that this painful controversy, which has existed for so long, should be brought to a close, and that there should be no longer the temptation which has existed in this House to deal with matters strictly judicial in a temper and with indications not always presenting the best features of the judicial character. We thought that such scenes as have been witnessed here, when the dignity of the House and the directions of the House have had to be supported by physical force, ought not to be repeated, especially when we had reason to believe that increased pain and increased scandal might attend their repetition. It was therefore upon the ground especial to the position of the House of Commons in this matter that we thought that this question was entitled to take precedence of certain other measures, and to be a primary one in reference to the procedure of this House, although it might be secondary in point of dignity as far as the order of legislation was concerned. I may perhaps just remind the House that a precisely similar course to that which we have adopted in this case was followed in 1854. Lord John Russell, who was then the leader of this House on behalf of the Government of Lord Aberdeen, introduced a Bill for altering the Parliamentary Oaths Act, with a view to the further relief of the Roman Catholics and to the general simplification of the oath. That Bill was of much wider scope than the present measure, because it went to recast the law with regard to the duties of hon. members generally, and it corresponded in substance with the Act on the subject that was subsequently passed in 1866, and yet that Bill was never mentioned in the Speech from the Throne in 1854. I am afraid that after what we have heard from some hon. gentlemen opposite, and especially from the right hon. gentleman the late Home Secretary, I shall make but a dull, unexciting, and uninteresting speech, because I do not intend to accuse anybody of anything. Neither can I refer to all the numerous points in the attack which the right hon. gentleman made upon the Government. I must, however, refer to one single point in that attack. The

right hon. gentleman said that our determination to take the retrospective action which we proposed to include in it in 1880 out of the Bill was "a despicable trick." Let me explain how that came to pass. In 1880 the law had never been determined on the question of the optional right of the hon. member for Northampton to affirm, and consequently Mr. Bradlaugh had been returned by his constituency without any knowledge on their part that he was precluded from taking his seat in this House. That being so, when we thought it expedient to ask the House to change the existing law, we thought it right also that that change should be made retrospective, so that the constituency which had committed no offence against the known law might not suffer, and that it should be given the benefit of its election. The case now, however, stands on a very different footing, because the law has since been declared, and the constituency has again returned Mr. Bradlaugh, this time with a full knowledge of what the law is, and therefore it is that we do not now ask the House to make the present Bill retrospective in its action. Thus we propose to deal with the warned constituency in a different way from what we should have dealt with the unwarned constituency.*

SIR R. CROSS said that he was referring to the Bill as brought in this year. After the constituency had learnt that Mr. Bradlaugh could not take his seat they elected him again, and after that the Bill of this year was brought in.

MR. GLADSTONE: It seems to me an extraordinary thing to say that if the Government, upon a full consideration of the different bearings of a point of that kind, sees cause to come to a certain conclusion it is "a despicable trick." Is the conclusion a right one or a wrong one? The right hon. gentleman will not say the conclusion is a wrong one. I want to know what title he has to characterise it in his moderate language as "a despicable trick." The ground upon which we have made, or propose to make, an alteration in the Bill is the ground which I have stated. But then it is said you ought not to alter the law for the sake of one person. That is a favourite argument. But it so happens that these laws are commonly altered for the sake of one person. It is in the case of some one person that the question is raised and the matter brought to an issue. Was not the case of O'Connell the case of one person? ("No," from the Parnellite Members). I say, Sir, that upon the Parliamentary history of the question there is nothing more clear or better known than this—that it was the election of O'Connell for the county of Clare that brought the Roman Catholic question to an issue. Now the allegation is not that Mr. Bradlaugh had nobody behind him, but that his is the sole case presented. Certainly I must say that this is a curious objection

* Later in the evening Mr. Gladstone made the following statement:—I wish to make an observation. I stated inaccurately to the House a matter I am anxious to set right. I was under the belief that the Bill introduced by my hon. and learned friend the Attorney-General was introduced before the re-election of Mr. Bradlaugh. I find that it was after his re-election; consequently the only explanation I have to give now in lieu of what I said before is that upon full consideration of the rights of the case we think the Bill ought not to be retrospective, especially as the precedent of Mr. O'Connell and the principles applicable to the case recommend it as our duty to propose a non-retrospective measure.

to proceed from the party opposite, because the party opposite has had to deal with the question of the removal of religious disabilities. After having stoutly opposed the admission of Jews to Parliament, upon principles quite as high and for motives quite as conscientious as those upon which they are now acting, when they came into office they introduced a Bill for the relief of the Jews. How does that Bill run? In this precise form. It makes provision for altering the law and rules of this House of Parliament upon the presentation of one person. I will not read the whole clause, but it runs thus: "When it shall appear to either House of Parliament that a Person"—*a Person*—"is prevented from taking his seat," by the then condition of the law, "such House may resolve that thenceforth *any* person" may come in and take his seat, upon the conditions therein specified. So that the fixing of the law was thereby committed to each House, and it was deliberately arranged by the action of a Government representing gentlemen opposite that when one Jew was found to be excluded by the state of the law, as it then was, this House should once for all, if it thought fit, admit that Jew and every other Jew who should apply to be admitted. Now we are asked what is to be done about the peers, about aliens, about felons. I am not sure whether that objection did not proceed from some legal authority. It is said that if we pass this Bill we shall be placed in a difficult position with regard to aliens, felons, and peers. (LORD R. CHURCHILL : The clergy.) The case of the clergyman I put upon an entirely different footing. It is thought to be a matter of very high duty, or of rigid constitutional principle, to exclude clergymen from this House; but I consider it is a matter exceedingly open to discussion, and to involve no constitutional question at all. With regard to peers (though I am sorry to place peers in such company), aliens and felons, their disqualifications rest upon the intelligible and well-understood principles of the common law of England. But the disqualification of an unbeliever rests upon nothing of the sort. I think my hon. and learned friend the other night distinctly demonstrated that by the common law of England there was no disqualification of this character. It is commonly said that Christianity is part of the common law. But can that statement be taken in the sense that if a man is not a Christian, he is an offender against the common law? That would be an extraordinary mode of applying the principle. But it has been shewn that no oath or test of any kind was ever used on the part of this House as a condition precedent to entrance into the House until the reign of Elizabeth; and that when an oath was then introduced it was not introduced in the slightest degree as a religious test. (MR. NEWDEGATE expressed dissent.) I will shew my hon. friend—if he will allow me to call him so, and I think, after having sat opposite to him for forty years, I am entitled to use that term—I will shew my hon. friend that it is so. My proof is this—that the oath was applied to commoners only, and not to peers; and the Act expressly declares the reason why it was applied to commoners and not to peers. "Because," so ran the Act, "we are otherwise persuaded by sufficient means of the loyalty of the Peers." Therefore it was.

a simple mode of ascertaining loyalty to the institutions of the country, and not the imposition of a religious disability. That as a matter of history, was the principle of our law down to the year 1828. If that be so, it will be found perfectly sound doctrine that there is no disqualification of the unbeliever by the common law. You may tell me that it was not then merely a question of admitting atheists to this House, but of permitting them to live. That is true, I think, down to the year 1614. The ancestors of those of us of English blood burned a certain person for insufficiency of religious belief. But that case was not the case of an atheist, but of an Arian. The fact is, however, that the country gradually adopted the principles of toleration. But where it tolerated it never erected barriers to prevent entrance to this House. Well, Sir, hon. gentlemen opposite say that there are a great many petitions against this Bill, and that the number is much greater against than in favour of the Bill. I think there has been some exaggeration in this matter. The late Home Secretary said that the President of the Wesleyan Conference had expressed himself against the Bill. I understand the fact is directly the contrary. He disclaims having done so, and I have a letter in my hand on the subject.

SIR R. CROSS was understood to say that on Monday evening he had in his hand a copy of the petition of the committee which sat with the President in the chair, and that the words which he read were the words of the secretary of the committee.

MR. GLADSTONE: Now, sir, I have received myself a letter, signed by Dr. Kennedy, the hon. secretary of the Three Denominations of Dissenters. The letter says: "I have the honour of forwarding to you a petition of the general body of the Three Denominations of Protestant Dissenting Ministers in favour of the Bill." I think it is only just to read an additional extract. The writer says: "The personal associations which are at present connected with the question are so painful and offensive to the body which we represent that nothing but a strong sense of duty would have induced them to sign this petition to Parliament." Do you suppose that we feel no pain? Do you suppose that we are unaware how difficult, how all but impracticable, it has become to do what we believe to be strict justice in the face of such associations? If you do not know this you ought; and if you do know, you should not, from your place in this House, sarcastically deride us and advise us to subscribe on our banner, "Bradlaugh and Blasphemy." I believe that every one of those intending to vote for this Bill feels that it is indeed difficult to do justice under such circumstances; but the difficulty is the measure of the duty and of the honour; and, just as if we were in a jury-box and a prisoner stood before us on a criminal charge, we will put a strong hand of self-restraint upon ourselves, and we will take care that full justice, nothing more and nothing less, shall be awarded to every citizen of England. In these considerations, as I believe and am persuaded, is to be found the reason why so many who feel it their duty to support this Bill have, notwithstanding, shrunk from exposing themselves to the odium so very freely cast upon the supporters of this measure by those who oppose it.

But I am bound to say a little more than that. The people who have subscribed petitions against this Bill are very numerous—I think about four times the number of those who have petitioned in favour of it. I am persuaded that the former have acted under the influence of what are justly called religious instincts. In my opinion, upon broad questions of principle which stand out disentangled from surrounding facts, the immediate instincts and sense of the people are very generally right. (Opposition cheers.) I am heartily glad to find that there is an echo to that sentiment in the quarter from which those cries proceed. But I cannot say that this is a uniform and an unbending rule, and it does undoubtedly sometimes happen that when broad principles are disguised by the incidents of the case, the momentary judgment, the momentary opinion, guided by the instincts of a population, is not a safe guide. If I were to make an exception to the general justice of the instincts of the people—and it is an exception not dishonourable to them—I say I should trust them far more on questions where their own immediate interests are concerned than on questions where the prepossessions of religion are concerned. The latter is a class of questions on which we must be careful against taking momentary indications of public feeling for our guide. These indications are opposed in many instances to the judgment of mankind. This is no assumption of mine. I would ask those who have studied the history of the year 1829, when the great Act for Roman Catholic emancipation was passed, do they believe that the Act at that moment represented the feelings of the majority of the people of Great Britain? No, Sir, it was distinctly against them. It was a combination of the guides of the people, it was the leaders, not on one side, but on both sides, who, superior to the temptation of gathering momentary profit from an appeal to religious prejudice guided the people, and took upon themselves the responsibility in their capacity as legislators of doing that which they believed and knew to be right, trusting to the people to do them justice and to recognise their motives. If I were to go back further into history I might quote other cases of a gross character, when popular risings under the influence of not untrue, though misguided, religious instincts disgraced the annals of this country. I will give one instance. It will be remembered that about 130 years ago this House and the Legislature passed an Act for the purpose of naturalising the Jews. A great popular movement immediately took place against it. Are you to look back upon that movement and say, “Poor ignorant wretches, what compassion we feel for you?” No, Sir; these men, according to the feelings and the knowledge of their day, were acting upon exactly the same principles and under exactly the same impulses as the petitioners of to-day. They thought that to admit a professor of a religion founded upon or absolutely involving the denial of Him who is the Alpha and Omega of our religion—they thought, or at least their instincts told them, that there was in that Act something which tended to impair the Christianity of the country. And there is precisely the same feeling now, if allowance be made for the progress in the political education of the country. It is nothing but the com-

bination of the leaders of parties that can direct aright questions of this kind, where religious prepossessions are involved, where the facts are but very partially known out of doors, and where the people have no means of sounding the difficult legal questions and complicated arguments that puzzle even many members of this House. If these leaders of parties do not see their way to the performance of that duty, or think that their duty lies in an opposite direction, then I, for my part, cannot be surprised that large numbers of people should, under the influence of sentiments which I regard with the highest respect and honour, take an action which I believe is wrong, and which I am convinced is unjust. The other night the right hon. gentleman the late Home Secretary spent more than half an hour by that clock in detailing the guilty conduct of the Government in regard to Mr. Bradlaugh. (Opposition cheers.) I did not require that assurance to shew that hon. gentlemen opposite were pleased. They shewed me on Monday night that they were extremely pleased. They would have been pleased if, instead of half-an-hour, he had taken an hour and a-half upon topics so inviting and racy in their character. The question I humbly put to hon. gentlemen opposite is this: "What in the world has that conduct to do with the matter?" Supposing it were all true, and supposing the Bill were the best Bill upon earth, it ought to pass if the conduct of the Government were ever so bad; and if the Bill is a bad Bill it ought not to pass if the conduct of the Government were ever so good.

Hon. gentlemen opposite seem to ascribe to me a peculiar feeling of sympathetic enthusiasm in the course we have taken, and they seem to imagine that I am possessed with a missionary zeal in driving forward with all my might the admission of Mr. Bradlaugh into this House. What I wish to point out is that we have rendered no assistance whatever to Mr. Bradlaugh. Did the House of Lords assist Mr. Bradlaugh last week? Did Lord Coleridge assist him yesterday? The House of Lords has no more assisted Mr. Bradlaugh than the two Courts which declared one after another that he had no right to affirm in this House have opposed him. What we have endeavoured to do has been to keep the proceedings of this House within the bounds of law and constitutional order; and it is no secret to you that in our opinion they have not been kept within those bounds, owing to the voice of a majority which required from us a respectful obedience, but which required and was entitled to nothing more. The right hon. gentleman opposite says that I abdicated the position of leader of this House. Sir, if the words are to be used at all, it is not a case of abdication, but of deposition. But I am astonished at the doctrine of the right hon. gentleman. He knows our ground. He knows that we were insisting on what we thought our judicial duty, and yet he affirms that when a view of judicial duty opposite to ours has been taken, we, who had been acting in the name of judicial duty, were to devise the means of giving effect to that opposite view. Well, Sir, I repel and repudiate with all my soul that servile proposition. I am willing to part with the place I hold and with the seat I hold, but I am not willing for a moment to give in to such a doctrine.

We have endeavoured to support, to the best of our power, the executive authority of the House. (An hon. Member: That is what you have not done.) That murmur only shews that the facts have not been carefully watched; but as to taking upon ourselves the responsibility of applying votes of this House, that we believe to involve radical injustice, and that I believe—I repeat for myself without hesitation or scruple—to be such as in the case of any minor authority would be termed illegal; to ask me to make myself the instrument of devising means for carrying such votes into effect, that, Sir, is a demand which I utterly reject, and which I hold to be totally unsupported by any fact that has occurred in the best ages of our Parliamentary tradition.

I must say I think it is very strange that these accusations should be brought. It may be that gentlemen opposite have something to bias them towards a particular course, which brings them political profit. I am making no accusation. I only say it may be that they have something to bias them in that direction. But what could we have to bias us in the direction that we have taken? Do you suppose that we are ignorant that in every contested election that has happened since the case of Mr. Bradlaugh came up you have gained votes and we have lost them? You are perfectly aware of it. We are not less aware of it. But is not some credit to be given to us—we giving you the same under circumstances rather more difficult—for presumptive integrity and purity of motive? Sir, the Liberal party has suffered and is suffering on this account. It is not the first time in its history. It is the old story over again. In every controversy that has arisen about the extension of religious toleration, and about the abatement and removal of disqualifications—in every controversy relating to religious toleration and to religious disabilities, the Liberal party has suffered before, and is now suffering again. And yet it has not been the party which upon the whole has had during the last half century the smallest or the feeblest hold upon the affections and the approval of the people. Who suffered from the Protestantism of their country? It was that party, with valuable aid from individuals, but only from individuals, who forfeited their popularity on that account—it was that party who fought the battle of freedom in the great Roman Catholic controversy, when the name of Protestantism was invoked with quite as great an effect—and when the petitions poured in quite as freely—as the name of Theism is now. Protestantism stood the shock of the Act of 1829. Then came on the battle of Christianity, and the Christianity of the country was said to be sacrificed by the Liberal party. There are gentlemen on the opposite side of the House who seem to have forgotten all that has occurred, and rather to plume themselves on the admission of Jews to Parliament, as if they had not resisted—(and with perfect honesty; I make no charge against their honour, and impute no unworthy motive)—as if they had not resisted it with quite as much resolution as they are exhibiting on the present occasion. Sir, what I hope is this, that the Liberal party will not be deterred by fear or favour from walking steadily onwards in the path which it believes to be the path of equity and justice. There is no greater honour to a man than to

suffer for the sake of what he thinks to be righteous ; and there is no greater honour to a party than to suffer in the endeavour to give effect to principles which they believe to be just.

Sir, I have occupied the House all this time on what I consider to be extraneous and collateral matter, but matter which has been introduced largely into every speech we have heard from the other side. Now let us try to get at the heart of the argument on what, after all, is not a very complex subject, but which is an exceedingly interesting one. The business of every man in controversy is to try to find out what is the main, the governing contention of his adversary. I have laboured to find it out, and I think I have probably found it : I hope so. As I read it, the governing contention is this, that the main question for the State is not what religion a man professes, but whether he professes some religion or none. I was in hope of receiving some affirmatory testimony to that from the hon. gentlemen opposite. I might dispense with proofs, but I will give them. The right hon. gentleman who led the opposition to this Bill said that this was not a question of difference of religion but was a question between religion and irreligion—between religion and the absence of all religion ; and clearly the basis of the right hon. gentleman's speech was that we were to tolerate any belief, but that we were not to tolerate no belief. I mean by tolerate, admit to the House of Commons. My hon. friend the member for Finsbury, in an able speech, expressed still more clearly similar views. He referred to the ancient controversies, and he said those controversies were all very well ; they touched, he said, excrescences, and not the vital substance. Now, Sir, I want to examine what is the vital substance and what are the excrescences. My hon. friend went further than this, and used a most apt, appropriate, expressive and still more significant phrase ; for he said, "Yes, it is true you admit religions, some of which may go near the precipice, but now you ask us to go over the precipice." Gentlemen opposite cheered that loudly when it was said by my hon. friend behind me ; they will not give me a single cheer now. They suspect I am quoting this with some evil intent. The question is, am I quoting them fairly ? or is it the fact that some gentlemen have really not considered their attitude towards this Bill except that they mean to oppose whatever is suggested by the Government ? However, I know my hon. friend has considered very well what he said when he used the simile about going near the precipice. Now I wish to ascertain what is the value of this main and principal contention ? The hon. and learned gentleman, the member for Launceston held exactly the same language. Adopting a phrase which had fallen from the hon. member for Portsmouth, and which he thought had been unfairly turned and applied, he said he wished that there should be some form of belief or other, some recognition of belief, something of what is called in the world of philosophical discussion a recognition of the supernatural. I believe that is a phrase which goes as near to what hon. gentlemen opposite mean as anything can. That is the main contention of the party

opposite, and what I want to know is whether that proposition offers us a good solid standing ground for legislation. Whatever test is applied, the test of the Constitution, the test of civil and political freedom, or, above all, the test of religion and reverence for religious feeling—I do not hesitate to say that, confidently as I support this Bill, there is no one ground on which I support it with so much confidence as because of what I think the utter hollowness and falsity of the arguments expressed in the words I have just cited and in the idea at the bottom of these words, and the danger of making them the basis of our constitutional action. Now, Sir, what does this contention do? In the first place it evidently violates civil freedom to this extent—that, in the words of Lord Lyndhurst, which are as wide as anything any gentleman on this side could desire, there was to be a total divorce between the question of religious differences and the question of civil privilege and power; that there was to be no religious test, no test whatever applied to a man with respect to the exercise of civil functions except the test of civil capacity and a fulfilment of civil conditions. Those were the words of Lord Lyndhurst, those are the words on which we stand. But it is now proposed to depart from this position, and to say that a certain class, perhaps a very narrow class, is, because it has no religion, to be excepted, and alone to be excepted, from the operation of that great and broad principle. In my opinion it is in the highest degree irrational to lay down a broad principle of that kind, and to stop short, after granting 99-100ths of all it means, in order to make an invidious exclusion of any handful of persons whom the exception may possibly affect.

Hon. gentlemen may perhaps be startled when I make my next objection to the contention of the opponents of the Bill, which is this, that that contention is highly disparaging to Christianity. Hon. gentlemen opposite invite us to do that which, as a Legislature, we ought never to do—namely, to travel over theological ground; and now, having taken us upon that ground, what is it they tell us? They say this, that you may go any length you please in the denial of religion, provided only you do not reject the name of the Deity. They tear religion into shreds, so to speak, and say that there is one particular shred with which nothing will ever induce them to part. They divide religion into the dispensable and the indispensable, and among that kind which can be dispensed with—I am not now speaking of those who declare, or are admitted under a special law, I am not speaking of Jews or of those who make a declaration, I am speaking solely of those for whom no provision is made except the provision of the oath—they divide, I say, religion into what can and what cannot be dispensed with, and then they find that Christianity can be dispensed with. There is something, however, that cannot be dispensed with. I am not willing, Sir, that Christianity, if the appeal is made to us as a Christian Legislature, shall stand in any rank lower than that which is indispensable. I may illustrate what I mean. Suppose a commander has to despatch a small body of men on an expedition, on which it is necessary for them to carry on their backs all that they take with them; the men part with everything that is unnecessary, and take

only that which is essential. That is the course that you ask us to take in drawing us upon theological ground ; you require us to distinguish between superfluities and necessities, and you tell us that Christianity is one of the superfluities, one of the excrescences, and has nothing to do with the vital substance, the name of the Deity, which is indispensable. I say that the adoption of such a proposition as that, which is in reality at the very root of your contention, is disparaging in the very highest degree to the Christian faith. I pass to another point. My hon. friend the member for Finsbury made a reference to Mr. O'Connell, whom he knew personally. I will not say that I had so intimate a personal knowledge of him as my hon. friend, but when I was a very young man, in the second year of my sitting in Parliament, in the old House, about half a century ago, I heard a speech from Mr. O'Connell, which, though I was then bound by my party allegiance to receive with distrust anything he said, made a deep impression on me and by which I think I have ever since been guided. It is to be found, not in "Hansard," but in a record which for a very few years was more copious even than "Hansard," and went under the name of the "Mirror of Parliament." Mr. O'Connell used these words in a speech on the law of libel :—

"When I see in this country the law allowing men to dispute the doctrine of the Trinity and the Divinity of the Redeemer, I really think if I had no other reason I should be justified in saying that there is nothing beyond that which should be considered worth quarrelling for, or which ought to be made a subject of penal restrictions."

I am convinced that on every religious ground, as well as on every political ground, the true and the wise course is not to deal out religious liberty by halves, quarters, and fractions, but to deal it out entire, and make no distinctions between man and man on the ground of religious difference from one end of the land to the other. But I go a little further in endeavouring to probe this contention which has been put forward by hon. gentlemen opposite, and I want to know is your religious distinction a real distinction at all? I will, for the sake of argument, and for no other purpose whatever, go with you on this dangerous ground of splitting theology into slices, and I ask you where you will draw the line. You draw your line at the point where the abstract denial of God is severed from the abstract admission of the Deity. My proposition is that the line thus drawn is worthless, and that much on your side of the line is as objectionable as the Atheism on the other. If you call upon us to make distinctions, let them, at least, be rational ; I do not say let them be Christian distinctions, but let them be rational. I can understand one rational distinction, that you should frame the oath in such a way as to recognise not only the existence of the Deity, but the Providence of the Deity, and man's responsibility to the Deity ; and in such a way as to indicate the knowledge in a man's own mind that he must answer to the Deity for what he does, and is able to do. But is that your present rule? No, Sir, you know very well that from ancient times there have been sects and schools that have admitted

in the abstract as freely as Christians the existence of a Deity, but have held that of practical relations between Him and man there can be none. Many members of this House will recollect the noble and majestic lines—

“Omnis enim per se Divôm natura necesse est
 “Immortali ævo summa cum pace fruatur,
 “Sejuncta a nostris rebus, semotaque longe.
 “Nam privata dolore omni, privata periclis,
 “Ipsa suis pollens opibus, nihil indiga nostri
 “Nec bene promeritis capitur nec tangitur irâ.”

“Divinity exists”—according to these, I must say, magnificent lines—“in remote and inaccessible recesses; but with us it has no dealing, of us it has no need, with us it has no relation.” I do not hesitate to say that the specific evil, the specific form of irreligion, with which in the educated society of this country you have to contend, and with respect to which you ought to be on your guard, is not blank Atheism. That is a rare opinion very seldom met with; but what is frequently met with is that form of opinion which would teach us that, whatever may be beyond the visible things of this world, whatever there be beyond this short span of life, you know and you can know nothing of it, and that it is a bootless undertaking to attempt to establish relations with it. That is the mischief of the age, and that mischief you do not attempt to touch. What is more, you glory in the state of the law that now prevails; you wish to tolerate all differences of religion, you wish to allow every one to enter into your Chamber who admits the existence of the Deity. You would seek to admit Voltaire. That is a specimen of your toleration. Voltaire was not a taciturn foe of Christianity. He was the author of that painful phrase which goes to the heart of every Christian, and of many a professor of religion who is not a Christian—*écrasez l'infâme*. And yet that is the state of the law for which you are working up the country to madness, endeavouring to strengthen in the minds of the people the false notion that you have got a real test, a real safeguard, and that Christianity is still safe, with certain unavoidable exceptions, under the protecting ægis of the oath, within the walls of this Chamber. And for this you excite a great religious war! I hold that this contention of our opponents is disparaging to religion; it is idle, it is irrational. For if you are to have a religious test at all, a test of Theism, which was what the hon. member for Portsmouth frankly said he wished to adopt, it ought to be a test of a well ascertained Theism; not a mere abstract idea dwelling in the air and the clouds, but a practical recognition of a Divine governing Power to which we are to account for every thought we conceive, for every word we utter.

I fear I have detained the House too long. But after all that has been said, and after all the flood of accusation and of invective that has been poured out, I have thought it right, at great length and very seriously, to show at all events that we do not decline the battle, and that we are not going to allow it to be said that the interests of religion are to find defenders only on the opposite side of the House. That sincere and conscientious defenders of the interests of religion are to be found there I do not ques-

tion at this moment ; but I do contend with my whole heart and soul that the interests of religion as well as the interests of civil liberty are concerned in the passing of this Bill. My reason for saying that may be given in a very few words. If I were asked to put a construction upon this oath I should probably give it a higher meaning than most gentlemen opposite. It is my opinion that the oath has in it a very large flavour of Christianity. I am well aware that the doctrine of my hon. and learned friend, the Attorney-General, is that there are other forms of positive attestation, recognised by other systems of religion, which may enable the oath to be taken, by the removal of the words, "so help me God" and the substitution of other words, or of some other symbolical act, involving the notion of the Deity and responsibility to the Deity. I do not now refer to cases of that kind but to cases where the oath is taken in the usual form. Now remember the oath does not consist of spoken words alone. The spoken words are accompanied by the corroborative act of kissing the Book, which, according to the intention of the Legislature, ought to import the acceptance of the Divine revelation. There have been other forms in other countries. I do not know whether there is still in Scotland the form of holding up the hand. In Spain, I believe, the form is that of kissing the cross ; in Italy, that of laying the hand upon the Gospel. But in this, according to the original intention, there is something which involves the acceptance of Christianity. You do not mean that the law is, or can be, applied in this sense. A law of this kind is like coin spick and span new from the Mint, carrying upon it all its edges in their sharpness and freshness. But it wears down in passing from hand to hand ; and, though there is a residuum, yet the distinguishing features disappear. So it is with the oath. Whatever my opinion may be as to the original vitality of the oath, there is very little difference of opinion as to what it has now become. It has become a theistic test. It does, as I think, involve a reference to Christianity, but while this is my personal opinion it is not recognised by authority, and at any rate does not prevail in practice ; for some gentlemen in the other House of Parliament, if not in this also, have written works against the Christian religion, and yet have taken the oath. But undoubtedly it is not good for any of us to force this test so flavoured, or even not so flavoured, upon men who cannot take it with a full and cordial acceptance. It is bad to do it ; it is demoralising. It is all very well to say, "Oh, yes, but it is their responsibility." That is not in my view a satisfactory answer. A seat in this House is to an ordinary Englishman in early life, or, perhaps, in middle or mature life, when he has reached a position of distinction in his career, the highest prize of his ambition. If you place between him and that prize not only the necessity of conforming to certain civil conditions, but the adoption of certain religious words, and if these words are not justly measured to the conditions of his conscience and convictions, you give him an inducement—nay, I do not go too far when I say—you offer him a bribe to tamper with those convictions, to do violence to his conscience in order that he may not be stigmatised by being shut out from what

is held to be the noblest privilege of the English citizen, that of representing his fellow-citizens. Therefore I say that besides our duty to vindicate the principle of civil and religious liberty, it is most important that the House should consider the moral effect of this test. It is—as the hon. member for Portsmouth is neither more nor less than right in saying—a purely theistic test. Viewed as a theistic test, it embraces no acknowledgment of Providence, of Divine government, of responsibility, or retribution. It involves nothing but a bare and abstract admission, a form void of all practical meaning and concern. This is not a wholesome, but an unwholesome lesson. Yet more. I own, although I am now, perhaps, going to injure myself by bringing the name of Mr. Bradlaugh into this controversy, I am strongly of opinion that the present controversy should come to a close. I have no fear of Atheism in this House. Truth is the expression of the Divine mind, and, however little our feeble vision may be able to discern the means by which God may provide for its preservation, we may leave the matter in His hands, and we may be sure that a firm and courageous application of every principle of equity and of justice is the best method we can adopt for the preservation and influence of truth. And I must painfully record my opinion that grave injury has been done to religion in many minds—not in instructed minds, but in those which are ill-instructed or partially instructed, and which have large claim on our consideration—in consequence of steps which have, unhappily, been taken. Great mischief has been done in many minds through the resistance offered to a man elected by the constituency of Northampton, which a portion of the people believe to be unjust. When they see the profession of religion and the interests of religion ostensibly associated with what they are deeply convinced is injustice, they are led to questions about religion itself, which they see to be associated with injustice. Unbelief attracts a sympathy which it would not otherwise enjoy, and the upshot is to impair those convictions and that religious faith the loss of which I believe to be the most inexpressible calamity which can fall either upon a man or upon a nation.



